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REMARKS

The Final Office Action mailed January 29, 2004 has been received and reviewed. Claims 9-14, 16-22 and 24-30 are pending and are rejected in view of newly cited references. Claims 9, 20-22 and 24 are amended. Claims 16, 26, and 27 are cancelled. The amendments result from combining existing claims and, therefore, do not raise new issues. The amendments are made responsive to the new rejection and were not made earlier for that reason. The Applicants submit that the claims are now in condition for allowance for the reasons stated hereinafter.

Objection To Drawings

The drawings are objected to because the recitation from claim 29 of a "plane transecting the central axis" is not shown. The plane is shown in FIG. 3 as originally filed, but FIG. 3 is amended to add reference numeral 60 to designate the plane. The specification is amended accordingly.

Rejection Of Claim 22 Under 35 U.S.C. § 112

Claim 22 is rejected under 35 U.S.C. § 112 as being indefinite. The Examiner's rejection is overcome by clarifying amendment of the claim.

Rejection Of Claims 9, 13, 14, 16-22, 24 and 26-29 Under 35 U.S.C. § 103

Claims 9, 13, 14, 16-22, 24 and 26-29 are newly rejected under 35 U.S.C. § 103(a) as being unpatentable over Kautto, et al., ("Kautto") in view of Sorice. The Examiner states that Kautto discloses a tool holder with a triangular-shaped insert, but fails to teach a linear groove, which is disclosed by Sorice. As amended, claims 9 and 24 require a clamping lug having a clamping lip that is sized in width approximately equal to the length of the linear groove for the purposes of stabilizing the insert during cutting operations, as explained in paragraph 0018 of the present specification. Neither Sorice nor any of the other references cited by the Examiner disclose a clamping lip as claimed and, therefore, do not provide any teaching in the art regarding

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the stabilizing benefits derived from the claimed structure. Therefore, claims 9, 13, 14, 16-19 and 24-26 are not obviated by either Kautto or Sorice. Additionally, claims 13, 14 and 24 require a cutter at the apex of the triangular insert which is not taught by Sorice (which teaches that the cutter is along the long edge of the cutter). The rejection of claims 16 and 27 are moot in view of the cancellation of those claims. Claims 18, 20 and 21 require a base body at least a portion of which is cylindrical with a long axis and require an arched or arcuate, radially-projecting element to support the blade plate which is not taught by either Kautto or Sorice, alone or in combination. As such, the tool recited by claims 18, 20 and 21 operates entirely differently from that taught by Kautto or Sorice and are not obviated by them. Similarly, claim 29 requires a cylindrical base body portion, axis and radially-extending cutter which is not taught by either Kautto or Sorice, alone or in combination. In view of the fact that Kautto and Sorice lack the claimed structural elements, they cannot be combined in any manner to obviate the claims.

Rejection Of Claims 10, 11 and 25 Under 35 U.S.C. § 103(a)

Claims 10, 11 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kautto in view of Sorice and further in view of Minshall. The Examiner states that Kautto and Sorice, in combination, disclose the claimed invention, except for specific dimensions of the groove, but that Minshall teaches a groove in an insert having a 10° angle. For the reasons stated above, neither Kautto nor Sorice teach a clamping lip having a width approximating the length of the linear groove as now required by claims 10, 11 and 25. Minshall does not disclose any such structure either. Thus, even if Sorice and/or Minshall could be combined with Kautto, they would still not obviate the blade plate stabilizing construction recited in claims 10, 11 and 25.

Rejection Of Claims 12, 29 and 30 Under 35 U.S.C. § 103(a)

Claims 12, 29 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kautto in view of Sorice and Hopkins. The Examiner states that

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Kautto and Sorice disclose all of the claimed elements, but fail to teach a base body having a cylindrical portion. The Examiner states that Hopkins teaches a cylindrical base body and a triangular insert, and that Hopkins teaches a range of acute radial rake angles as claimed. The rejection is traversed. For the reasons stated previously, neither Kautto nor Sorice teach an insert having a clamping lip and linear groove as claimed, and neither does Hopkins teach a clamping lip in a groove having the width and length dimensions as claimed to stabilize the cutter. In addition, however, claims 12, 29 and 30 require a cutter formed at the apex of the insert, which is not taught by Hopkins (Hopkins teaches that the cutter is along the length of the insert, not the apex). Furthermore, claims 29 and 30 require that the front side of the blade plate be positioned at the claimed angle. By contrast, as shown in figures 1 and 4 of Hopkins, the equivalent "front side" (46) of the Hopkins insert (28) is parallel to the axial plane (27) and not at an angle to it as claimed. Hopkins fails to teach, alone or in combination, that which is required by claims 12, 29 and 30 and does not obviate those claims, therefore.

CONCLUSION

In view of the amendments made and arguments presented, the Applicants submit that claims 9-14, 17-22, 24, 25 and 28-30 present patentable subject matter. Reconsideration and allowance are respectfully requested.

Respectfully submitted,


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Date: March 29, 2004

Attachments: Replacement FIG. 3